

1897-038 Chancery Causes: Manasses A. Jones vs. George C. Gilmer
Lee Co. alias Marasha A. Jones

CA - Contract Dispute
T - Property

To the Hon. John A. Kelly Judge
of the Circuit Court of Lee County,

The bill of Complaint of
Manasser A. Jones humbly complain-
ing, would respectfully represent
that on the first day of March
1883, she sold to one Geo. L. Gilmore
a tract of land situated in this
County, and properly described in
the deed hereinafter mentioned for
the price of \$1600, six hundred
of which was paid in hand and
for the residue three bonds were exe-
cuted by said Gilmore to your
Complainant, dated the said first
day of March 1883, the first
was for the sum of \$333.00 and be-
came due & payable by the first
day of December 1884, and was to
bear interest from Dec. 1st 1883. Upon
this, there has been paid \$158.93 as
of Dec. 17th, 1884. and \$100. paid Dec. 1885.
The residue is still owing to your
Complainant - The second bond was for
a like sum and became due and
payable by the first day of Dec 1885
and bears interest from Dec. 1st 1883
The whole of this, is still due & owing
your Complainant. The third bond was for \$334.

and will become due & payable on Dec. 1st 1886, and bears interest from Dec 1st 1883. No part of this note has ever been paid. As before stated these bonds were executed as a part payment for a tract of land, owned by youratrix in her own right, free from the claims of her said husband and is her separate & sole property in her own right, in which capacity she now seeks to recover the same. The land consists of one parcel situated in the Turkey Cove, in said County and contains $6\frac{3}{4}$ acres, as shown by a plat and survey accompanying this bill - on the 5th day of March 1885, your Complainant and her said husband joining with her, made a deed in pursuance to said sale, and properly acknowledged the same, and here files it, as an escrow to be delivered upon the full payment of said purchase money. These papers herein before, mentioned will be found filed herewith as part hereof numbered in the order named, except bond no 3, which is not now filed, from 1 to 5 inclusive, and are prayed

to be considered herewith, as part hereof. The object of this bill therefore is to have said Contract specifically performed by said Gilmore your Complainant having fully performed her part. These bonds your Cratrix are advised are liens upon said land, which she also seeks to enforce by sale, which she is advised is but a specific performance.

The premises considered your Cratrix prays that George C. Gilmore be made a party defendant to this bill and answer its allegations upon oath, and upon a hearing a decree be rendered enforcing said lien, specifically executing said Contract and selling so much land of said tract as may be necessary to pay the same and attendant costs and for all other and further general relief may supra issue &c. Your Cratrix omitted to state that she acquired full title to said land after the act of or known as the Married Woman's act, passed first 1875 and afterwards amended in 1878

A. L. Prioleau

P. 2.

Agent
Clerk \$7.40 to Jan 1/88

\$ 5.00
\$ 15.00

H. Clerk \$7.60 to July 93.

11 cases \$ 5.00

M.C. 1.12 to Nov. 1894

\$36.62

MC 2.66 to Nov/94

183 " " 95-

Estimated 500

\$46.11

177 35-

15-

177

177

P.

Massachusetts A. Jones

2 Bill Chy

Geo. L. Gilmore

1886 Feb. Bill filed Sp

Ed & D. Arisi

" Mr. L. A. Gould &

Cause set for hearing

" briefs were read

1887 Mr. Deere for sale

& Continued

Mauasha A. Jones }
vs. } Deeree
G. B. Gilmer }

The balance of the purchase money due from the defendant to the assignee of the plaintiff in this cause having been provided for in a decree entered at this term of the court in the Chancery cause entitled G. B. Gilmer vs. J. W. F. Dickinson and wife, and there being no necessity for this cause to remain longer on the docket, it is ordered that the same be stricken from the docket.

Mauaska A. Jones
vs. $\frac{3}{2}$ Deere Final.
G. L. Gilmer.

11.
Ex. C. O. B. No. 6. p. 11+12

Enter this decree
June 14th 1897.

11
M. L. M.

Manasha A. Jones *seff.*
 against
George C. Gilmore *seff.* } In Chy.

This Cause came on this day again to be heard upon the papers formerly read, and the report of John A. G. Hyatt Comr. filed Feb. 24 1894, to which there are no exceptions, and was argued by counsel

On consideration of which and for reasons appearing to the Court, it is adjudged ordered and decreed that the plff recover from the defendant the sum of \$188.62, for the use and benefit of A. L. Pondenors, together with legal interest on \$152. from March 1st 1894, till paid and the Costs of Suit and unless the defendant or some one for him shall pay the same within 30 days from the rising of this Court then D. C. Swasee who is hereby appointed a special Commissioner for the purpose, will sell so much of said land as may be necessary to pay the same. He will make sale thereof on some Court day in front of the Court House door on a credit of 12 months except the Costs which he will require paid in hand.

But before making sale or putting notice thereof said Comr will execute bond before the Clerk of this Court

in a penalty of five hundred dollars
 conditions to duly perform his duties
 hereunder - He will then post notice
 of the time term & place of sale for
 30 days prior thereto on the front door
 of the Court House of this County and
 at some public place in the neighbor-
 hood where the land lies - For the deferred
 payment he will take a bond pay-
 able to himself bearing interest from
 day of sale - He will report his
 action to this Court at some future
 term & the cause is continued -

Murphy & Jones

v. decree
 of sale.

J. C. Guilmore

March 7, 1894

C. C. O. B. Page 556

Wm. 9th 1894

Enter this
 March 9, 1894
 H. J. K. M.

Manases A. Jones

Chy

against

George C. Gilmore. Defts

Indy

This Cause
Came on this day again
to be heard upon the paper
formerly read - and was
argued by Counsel, and it
being admitted by the plffs
Counsel that there have
been payments made since
the former decree heard in
John A. G. Hyatt is hereby
appointed a special Com-
missioner who will as-
certain and report here
much has been paid to
whom and when - and how
much if any thing remains
still due. He will report
his action to this Court at
its next term and the
Cause is continued

Manases A. Jones

vs J Deere

George C. Gilmore

Nov 7. 1893

Entered Ch. O.B. p. 444

Nov. 17th 1893.

Entered this
Nov. 17 1893
H. S. K. M.

Manasses A. Jones .. Plff

Against

G. E. Gilmore Def.

} In shy

}

This

Cause came on this day again
to be heard upon the bill taken
for confessed and exhibits filed
and was argued by counsel on
consideration whereof and for
reasons appearing to the Court it
is adjudged ordered and decreed
that the plff recover from the
defendant the sum of \$1000, with
legal interest ~~thereon~~ on \$333, part
thereof from Dec. 1st 1884; and the like
interest on \$333, after part thereof
from Dec. 1st 1885; and the like interest
on \$334, residue thereof from Dec. 1st 1886
till paid and the costs of this suit
subject to the following credits viz:

| | |
|---------------------------------------------------------|----------|
| Debit of trust list as of Dec. 1 st 1884. | \$100.00 |
| 13 th amt of chq. Dec. 1 st 1885. | 100.00 |
| " " Paid am. A. Jones 1885 | 28.00 |
| " " Cash to A. L. Ordum ^{Sept. 27. 887.} | 295.00 |

And unless the defendant or some
one for him pay the said sum
within 30 days from the rising of
the Court then A. L. Ordum

Entered page 30-
Lower
v.
Wilmar

Secured for
Sale.

Entered page 31

Entered April 1897

who is hereby appointed a special
Com missioner for the purpose, will
see so much of said land, on
a credit of six twelve or eighteen
months as will pay the same
except the cash he will require
paid in hand; and for the de-
ferred payments take bonds payable
to himself with good personal estate
bearing interest from day of sale
The sale will be made at the
front door of the Court House on
some Court day by public cri-
cry to the highest bidder - But before
proceeding, to execute this decree said
Com missioner will execute before the
Clerk of this Court a bond in
a penalty of \$1000 conditioned to
duly perform the duties hereunder
He will then advertise the same
for at least 30 days on the front
door of the Court House and two or
more public places in said County
one of which shall be in the neigh-
borhood where the land lies siting
at true time and place of sale
He will report his action to this
Court at some future term & the cause is
Continued.

Marasha A. Jones

George C. Gilmer

To the Hon. H. L. Harrison
Judge of the Circuit Court for Lee
County:— Your undersigned
Special Commr. in obedience to
a decree entered in the above
styled Cause Nov 7th 1893, after
giving the parties in interest
proper notice proceeded on the
23rd day of February 1894, to
perform the duties assigned me.

Dr. Geo C. Gilmer appeared before
me on said day and filed before
me the evidence of his payments,
from which I made up the
Statement herewith filed marked
X, and as will be observed
I have charged him with the
notes executed by him Nos 1, 2 &
3 amounting in the aggregate
to 1000 \$ and with interest
thereon from Dec 1st 1883
as evidenced on the face of
said notes, and have given
him Credit for the various
payments made as shown
by the receipts of H. L. Judson

to him marked as in the margin
1, 2, 3, 4 & 5, and with 100¢ credit
endorsed on Note No 1, resulting
in showing that there is still
due on the 1st 1894, on said
notes which have been assigned
to A. L. Fiddemore, the sum of
\$152.⁰⁰ to which I add \$36.⁶² the
Costs of this suit down to March
1st 1894, making the sum of
\$188.⁶² still due and owing
by said Gilmer to said Fiddemore.
And now having performed
the duties assigned me I pray
hence to be dismissed.

Respectfully submitted
J. A. Smith
Special Court.

Manaska A. Jones
 3 Leonus Report
 Ps 3
 George C. Gilman
 Filad. Feb 24th 1894
 J. B. Munsey Co.

Bal due 152.00
 Add costs 36.62
 Due Mar. 1st 1894 \$188.62

Courts fee 5¢

| | |
|--------------------------------------------------|---------------|
| Bal principle due March 1 st 1894 | \$108.51 |
| Interest due " | 43.85 |
| Just see principle to March 1 st 1894 | 13.02 |
| Interest by J. B. G. Deffenbach | \$165.38 |
| Just to Nov. 11 1897 | 64.00 |
| Added costs | 101.38 |
| | 101.38 |
| | 41.45 |
| | <u>153.16</u> |

Geo. C. Gilmer

To Manassah Jones

27m

| | | |
|------------------|----------------------------------------------------------------------|-----------|
| | For note No 1 Int from Decr. 1 st 1883 | \$ 333.33 |
| | Interest to Decr. 17 th 1884 | 20.89 |
| | | \$ 354.22 |
| 1 | By this sum assignment to Decr. 17 th 1884 | 158.93 |
| | To Interest to March 9 th 1885 | \$ 195.29 |
| | | 2.67 |
| | | \$ 197.96 |
| 2 | By this sum on order &c | 26.00 |
| | To Interest on bal to Decr. 9 th 1885 | \$ 172.96 |
| | | 7.78 |
| | | \$ 180.74 |
| Success. on note | By check Decr. 1885 | 100.00 |
| | Int on bal to March 27 th 1886 | \$ 80.74 |
| | | 1.04 |
| | To this sum 2 nd note Int from Decr. 1 st 1883 | 333.00 |
| | " " " Int thereon to March 27 th 1886 | 46.39 |
| | | \$ 461.17 |
| 3 | By this sum receipt March 27 th 1886 | 215.00 |
| | To Int. on bal to Jan'y 9 th 1887 | \$ 246.17 |
| | | 11.56 |
| | | \$ 257.73 |
| 4 | By this sum receipt " " " | 195.00 |
| | Interest on this bal, to May 28 th 1887. | \$ 62.73 |
| | | 1.45 |
| | To this sum Note No 3. Int Decr. 1 st 1883 | 334.00 |
| | " " " Int to May 28 th 1887 | 69.97 |
| | | \$ 464.15 |
| 5 | By " " Receipt May 28 th 1887 | 360.00 |
| | Interest to March 1 st 1894 | \$ 108.15 |
| | | 43.85 |
| | | \$ 152.00 |
| | Bal. due " " " | |
| | To this sum Costs of Suit to Mar. 1 st 1894 | 36.62 |
| | Total Bal to March 1 st 1894 | \$ 188.62 |

X

Filed Feb'y 28th 1894
A. B. Mumsey clk

Page 7

145⁸
186
186
177

181⁹
40

145⁸ +

186 +

186 +

186 +

372⁶ +

713⁵ + 2309

(33.00)

3013⁶⁷ +

470⁷ +

470⁷ +

470⁶⁷ +

940⁶ +

1923⁷ + 728⁶ 0⁴

96

1819 +

40 +

40 +

40 +

80 +

~~1110~~ + 2969

2969

950

1943



Credited this day Aug 23/85
P.

For value received, I assign to G. C.
Gilmore the amount of one hundred &
fifty eight dollars and 93. Cents, of
a deed of trust due me from
Wm A. Jones wife Manasha Ann. That
being the debt interest at \$2.25 according
per this day due - This assignment
is made in consideration of
the sum of seventy-five dollars
this day paid - and the execution
of said Gilmore's note to me for
the sum of eighty three dollars & 93 C
this day. Dec. 17-1884

A. S. Pridemore

Aug. 23
1885

158.93

Dec. 17 1884

(1)

Dr. G. C. Gilmore:

Dr Sir:

If you will pay Mr.

Wm A. Jones thirty five dollars, I will, see that
the same is receipted to you, by Mrs Manasha A. Jones, and
credited, on your notes. - due her. April 25/85 - A L Pridmore

Received from the 1st 1885 of Rev. C. L. Johnson
Twenty five dollars, which is to be
credited on a Credit due to him which
Messrs. A. Jones & Co. paid for him.
What was due Dec 1st 1884.

Witness my hand & seal
this 1st day of Dec 1884

Mining
1885-

258
(2)

Receipt of

Mining fees

Received of G. C. Gilmer the sum
of ~~two hundred~~ fifty dollars to be cred-
ited upon notes in my hands
for collection in favor of Man-
asses A. Jones against him and
on which suit has been instituted
in the Circuit Court of Lee County
Va. March 27 / 86

A. S. Pickens

March 27

1886

215⁷/₈

(3)

Received of G. C. Gilmer, one
hundred and ninety-five dol-
lars to be credited on water due
Mrs Manassah A. Jones, for land
now involved in Chancery suit
against him Jan. 19th 1887.

A. L. Pickens

A. L. Prideman

To Recd #178-

G. C. Gilmer

(11)

Jan 21 1887
178-4

Received of G. L. Gilmer three
hundred and sixty dollars on
purchase price of Manuscript
R. Jones Canal, this May 28
1867.

A. L. Pickens
at for Jones


May 28/887

3608

(57)

\$333.00

By the first day of December 1884
I bind my self my heirs &c To pay Manasses
A. Jones Three hundred & thirty two dollars
(To bear interest from December 1st 1883)
for value received. And I hereby waive
my home stead exemption as to this
debt. Witness my hand & Seal. This 1st
day of March. 1883.

Geo. C. Gilmer 

G. C. Gilman holds an assignment of a debt from
me for \$158. 93 of a deed of trust held by me on
Jones wife which constitutes a credit of that sum as
of Dec. 17th. 1884 (G. C. G. holds assignment)

1885. Dec.

By check, this day left with M. D. R. for \$100.00

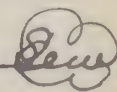
paid 333.00
B. C. G.

for value received
B. C. G. & H. M. M.
of the County of the
County of the
March 5th 1885
C. C. G. (H. M. M.)

(No 1)

\$333.00

By the first day of December 1885-
I bind my self my heirs & To pay Mammas
A. Jones Three hundred & thirty three dollars
(To bear interest from December 1st 1883
until paid) for value received. And
I her by renounce my homestead exemption
as to this debt. Witness my hand & Seal
This 1st of March 1883

Geo. C. Gilman 

note p. 333 to
G. C. G.

(no 2)

\$334 00

By the first day of December 1886
I bind my self my heirs &c To pay Marion A.
Jones Three hundred & thirty four dollars
(bearing interest from Dec 1st 1883 until
paid) for value received. And I have
by giving my home stead exemption
as to this debt. Witness my hand & Seal,
This 1st of March 1883.

Geo. C. Gilman Seal

note of 334.00
G. C. S—

(no 3)

40
 40
 79
 1010
3028

3011
 470
 470
 470
 840
1823
 4

30.13
 470
 470
 470
 470
 943
 1923
72.6

11

Gilmer's notes

No 1. 2 + 3

Total 1000. \$

THE COMMONWEALTH OF VIRGINIA,

To The Sheriff Of Lee County Greeting :

We Command You to Summon

George C. Gilmer

To appear at the Clerk's Office of the Circuit Court of Lee County, at the Courthouse on the first Monday in

February next being rule day to answer a bill in chancery exhibited in our said Court against *him*

by

Marcus A. Jones

And have then there this writ. Witness J. A. G. HYATT Clerk of our said Court at the Courthouse

This

day of

23rd January

188

, in the 10

year of the Commonwealth.

J. A. G. Hyatt

Clerk

LD

Manasses A. Jones

vs 3 Spain chcy

George C. Gilmer

To February Rules 1886.

Executed by delivering
an office copy of this
Spa to George C. Gilmer
Jan'y 27 1886.

M. E. Felanard. L. C.

\$ fee 50